

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

This document relates to: The cases identified
in Appendix A.

MASTER DOCKET

18-md-02865-LAK

**AMENDED MOTION FOR ISSUANCE OF A REQUEST FOR INTERNATIONAL
JUDICIAL ASSISTANCE TO OBTAIN EVIDENCE IN DENMARK**

PLEASE TAKE NOTICE that the undersigned attorneys for the individual and entity defendants identified in Appendix A (collectively, “Defendants”), will apply before the Honorable Lewis A. Kaplan of the Southern District of New York at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, at a time and date to be determined by the Court, for the issuance of a Request for International Judicial Assistance Pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil and Commercial Matters and 28 U.S.C. § 1781(b)(2). In support of this motion, Defendants rely upon the accompanying Memorandum of Law and Declaration of Thomas E.L. Dewey, dated May 1, 2024 and the exhibits attached thereto.

Dated: New York, New York
May 1, 2024

Respectfully submitted,

DEWEY PEGNO & KRAMARSKY LLP

By: /s/ Thomas E.L. Dewey
Thomas E.L. Dewey
777 Third Avenue – 29th Floor
New York, New York 10017
Tel.: (212) 943-9000
Fax: (212) 943-4325
tdewey@dpklaw.com

KEKER, VAN NEST & PETERS LLP

By: /s/ Elliot R. Peters
Elliot R. Peters
Julia L. Allen
633 Battery Street
San Francisco, CA 94111
Tel.: (415) 962-7188
epeters@keker.com

Attorneys for Defendant Michael Ben-Jacob

KOSTELANETZ & FINK, LLP

By: /s/ Sharon L. McCarthy
Sharon L. McCarthy
7 World Trade Center, 34th Floor
New York, New York 10007
Tel: (212) 808-8100
Fax: (212) 808-8108
smccarthy@kflaw.com

*Attorneys for Defendants John van Merkensteijn,
III, Elizabeth van Merkensteijn, Azalea Pension
Plan, Basalt Ventures LLC Roth 401(K) Plan,
Bernina Pension Plan, Bernina Pension Plan Trust
Michelle Investments Pension Plan, Omineca
Pension Plan, Omineca Trust, Remece Investments
LLC Pension Plan, Starfish Capital Management*

LLC Roth 401(K) Plan, Tarvos Pension Plan, Voojo Productions LLC Roth 401(K) Plan, Xiphias LLC Pension Plan

WILLIAM CUTLER PICKERING HALE AND
DORR LLP

By: /s/ Alan E. Schoenfeld
Alan E. Schoenfeld
7 World Trade Center 250 Greenwich Street
New York, NY 10007
Telephone: (212) 230-8800
alan.schoenfeld@wilmerhale.com

Attorneys for Defendants Richard Markowitz, Jocelyn Markowitz, Avanix Management LLC Roth 401(K) Plan, Batavia Capital Pension Plan, Calypso Investments Pension Plan, Cavus Systems LLC Roth 401(K) Plan, Hadron Industries LLC Roth 401(K) Plan, RJM Capital Pension Plan, RJM Capital Pension Plan Trust, Routt Capital Pension Plan, Routt Capital Trust

KATTEN MUNCHIN ROSENMAN LLP

By: /s/ David L. Goldberg
David L. Goldberg
Michael M. Rosensaft
Zhanna A. Ziering
50 Rockefeller Plaza
New York, NY 10020
Tel.: (212) 940-8800
Fax: (212) 940-8776
david.goldberg@katten.com

Attorneys for Defendants Robert Klugman, RAK Investment Trust, Aerovane Logistics LLC Roth 401K Plan, Edgepoint Capital LLC Roth 401K Plan, Headsail Manufacturing LLC Roth 401K Plan, The Random Holdings 401K Plan, The Stor Capital Consulting LLC 401K Plan

APPENDIX A

Defendants	Counsel	Associated Case(s)
John van Merkensteijn, III	Sharon L. McCarthy Caroline Ciraolo Nicholas S. Bahnsen Kostelanetz & Fink LLP 7 World Trade Center, 34th Floor New York, New York 10007 Tel: (212) 808-8100 Fax: (212) 808-8108 cciraolo@kflaw.com smccarthy@kflaw.com nbahnsen@kflaw.com	18-cv-04833 19-cv-01788 19-cv-01794 19-cv-01798 19-cv-01800 19-cv-01801 19-cv-01803 19-cv-01809 19-cv-01810 19-cv-01813 19-cv-01818 19-cv-01865 19-cv-01866 19-cv-01871 19-cv-01873 19-cv-01893 19-cv-01894 19-cv-01906 19-cv-01911 19-cv-01918 19-cv-01924 19-cv-01928 19-cv-01930 19-cv-01931 19-cv-10713
Elizabeth van Merkensteijn		
Azalea Pension Plan		
Basalt Ventures LLC Roth 401(K) Plan		
Bernina Pension Plan		
Bernina Pension Plan Trust		
Michelle Investments Pension Plan		
Omineca Pension Plan		
Omineca Trust		

<p>Remece Investments LLC Pension Plan</p> <p>Starfish Capital Management LLC Roth 401(K) Plan</p> <p>Tarvos Pension Plan</p> <p>Voojo Productions LLC Roth 401(K) Plan</p> <p>Xiphias LLC Pension Plan</p>		
<p>Richard Markowitz</p> <p>Jocelyn Markowitz</p> <p>Avanix Management LLC Roth 401(K) Plan</p> <p>Batavia Capital Pension Plan</p>	<p>Alan E. Schoenfeld Wilmer Cutler Pickering Hale and Dorr LLP 7 World Trade Center 250 Greenwich Street New York, NY 10007 Telephone: (212) 230-8800 alan.schoenfeld@wilmerhale.com</p>	<p>18-cv-04833</p> <p>19-cv-01781</p> <p>19-cv-01783</p> <p>19-cv-01785</p> <p>19-cv-01791</p> <p>19-cv-01792</p> <p>19-cv-01806</p> <p>19-cv-01808</p> <p>19-cv-01812</p> <p>19-cv-01815</p> <p>19-cv-01867</p> <p>19-cv-01868</p> <p>19-cv-01869</p> <p>19-cv-01870</p> <p>19-cv-01895</p> <p>19-cv-01896</p> <p>19-cv-01898</p> <p>19-cv-01904</p> <p>19-cv-01906</p> <p>19-cv-01911</p> <p>19-cv-01922</p> <p>19-cv-01924</p> <p>19-cv-01926</p> <p>19-cv-01929</p>

<p>Calypso Investments Pension Plan</p> <p>Cavus Systems LLC Roth 401(K) Plan</p> <p>Hadron Industries LLC Roth 401(K) Plan</p> <p>RJM Capital Pension Plan</p> <p>RJM Capital Pension Plan Trust</p> <p>Routt Capital Pension Plan</p> <p>Routt Capital Trust</p>		19-cv-10713
<p>Robert Klugman</p> <p>RAK Investment Trust</p> <p>Aerovane Logistics LLC Roth 401(K) Plan</p> <p>Edgepoint Capital LLC Roth 401(K) Plan</p> <p>Headsail Manufacturing LLC Roth 401(K) Plan</p> <p>The Random Holdings 401(K) Plan</p> <p>The Stor Capital Consulting LLC 401(K) Plan</p>	<p>David L. Goldberg</p> <p>Michael M. Rosensaft</p> <p>Zhanna A. Ziering</p> <p>Katten Munchin Rosenman LLP</p> <p>50 Rockefeller Plaza</p> <p>New York, NY 10020</p> <p>Tel.: (212) 940-8800</p> <p>Fax: (212) 940-8776</p> <p>david.goldberg@katten.com</p>	<p>18-cv-04434</p> <p>18-cv-07824</p> <p>18-cv-07827</p> <p>18-cv-07828</p> <p>18-cv-07829</p> <p>19-cv-01781</p> <p>19-cv-01783</p> <p>19-cv-01785</p> <p>19-cv-01788</p> <p>19-cv-01791</p> <p>19-cv-01792</p> <p>19-cv-01794</p> <p>19-cv-01798</p> <p>19-cv-01800</p> <p>19-cv-01801</p> <p>19-cv-01803</p> <p>19-cv-01806</p> <p>19-cv-01808</p> <p>19-cv-01809</p> <p>19-cv-01810</p> <p>19-cv-01812</p> <p>19-cv-01813</p> <p>19-cv-01815</p> <p>19-cv-01818</p> <p>19-cv-01870</p> <p>19-cv-01918</p> <p>19-cv-01922</p> <p>19-cv-01926</p>

		19-cv-01928 19-cv-01929 19-cv-01931
Michael Ben-Jacob	<p>Thomas E. L. Dewey Dewey Pegno & Kramarsky LLP 777 Third Avenue – 29th Floor New York, New York 10017 Tel.: (212) 943-9000 Fax: (212) 943-4325 tdewey@dpklaw.com</p> <p>Elliot R. Peters Julia L. Allen Keker, Van Nest & Peters LLP 633 Battery Street San Francisco, CA 94111 Tel.: (415) 962-7188 epeters@keker.com</p>	18-cv-04434 18-cv-07824 18-cv-07827 18-cv-07828 18-cv-07829 19-cv-01781 19-cv-01783 19-cv-01785 19-cv-01788 19-cv-01791 19-cv-01792 19-cv-01794 19-cv-01798 19-cv-01800 19-cv-01801 19-cv-01803 19-cv-01806 19-cv-01808 19-cv-01809 19-cv-01810 19-cv-01812 19-cv-01813 19-cv-01815 19-cv-01818 19-cv-01866 19-cv-01867 19-cv-01868 19-cv-01869 19-cv-01870 19-cv-01871 19-cv-01873 19-cv-01894 19-cv-01896 19-cv-01918 19-cv-01922 19-cv-01926 19-cv-01928 19-cv-01929 19-cv-01931 21-cv-05339